



18 April 2013

Steve Sadowsky
Historic Preservation Officer
City of Austin
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

Dear Steve:

My name is William Hodge AIA and I represent Paul Harrison AIA, the owner of the property at 1910 East 10th Street. I am the applicant listed on an application to demolish the house on the aforementioned property, and Mr. Harrison is an architect with over 30 years' experience in both the design and construction sides of the building industry. With this letter, I would like to plead our case in detail as to why the house needs to be deconstructed, and to respectfully request that your office reverse its recommendation to postpone action on our application. You are recommending postponement so that we may further explore our options; unfortunately we have, due to the delays of municipal departments not your own, had almost an entire year during which we have very much explored every option available to us.

Mr. Harrison and I acknowledge and respect the history of this house and the contributions its residents have made to our city over the years, and have attempted for almost a year (at considerable expense in time and opportunity cost) to find a way to keep this house a part of the neighborhood while making it a habitable and functional home. However, it is our collective professional opinion that the preservation of this cruelly neglected house would be an onerous and costly task, one that – at best – would result in a structure so aesthetically and structurally dissimilar from its current form as to render moot any visual contribution it could make to the maintenance of its streetscape. In an attempt to make a rehabilitation work I designed (at a loss in fees) a project that would have accomplished exactly what I denote above: the house would have been, by necessity, altered in practically all aspects but its setback and house number.

We propose instead to replace this structure with a home that, while modern in planning and function, would recall the style and details of the original home on this property. We have investigated the relocation of the current house and frankly, have not been able to find a suitable way to accomplish this, but we have every intention of carefully

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deconstructing the house to allow for its materials to be reused in a sustainable, ecologically-friendly way. As well, we are willing and eager to provide documentation of this house to the Austin History Center in the form of photographs, plans, and narratives, which will serve as a reminder to the City of its history.

As a residential architect active on the east side of Austin for seven years, I have designed and overseen renovations and modernizations of several homes of this vintage. 1910 East 10th Street, however, is a case more dire than almost any other in which I have been involved. Specifically:

1. The house complies in virtually no way whatsoever with current building codes and is – in the collective professional opinion of Mr. Harrison, the City of Austin, and myself – unsafe and unfit for human habitation in its current state;
2. The house violates key tenets of the City's zoning and neighborhood planning ordinances and regulations in ways that cannot be rectified if the house is retained;
3. The house currently impacts a tree protected by the City of Austin, and any work in this tree's vicinity – even to repair the existing house – would impact it in such a way that, in my opinion, the tree's existence could be threatened;
4. The house, due to its location on its lot, does not allow for the minimum municipally-required number of off-street parking spaces unless the design of said spaces is significantly compromised, and thus its mere habitation imposes a burden on its immediate surroundings, forcing its occupants to park on the street and thus lessen the ability of their neighbors to use and enjoy their street and neighborhood; and,
5. As we have learned over the past year through our attempts to do so, the effort required to merely bring this house up to minimum standards of building code would pose an extraordinary burden upon both Mr. Harrison and any potential future occupants, driving the cost of occupation up in such a way that would negate the principles of housing affordability and diversity encouraged by the City – and would have required the destruction of the details and style of the existing house which comprise such an important part of any contribution it makes to the historic nature of East 10th Street.

Violations of minimum standards of construction and occupation

The house in its current state was deemed substandard by the City of Austin's code enforcement division in 2000 and its former owner was given 90 days to bring the house up to current minimum standards (reference permit # 2000-012771-BP). This permit was allowed to expire with no action being taken towards any repair or modernization. As it currently exists, the house exhibits several critical life-safety and code defects, which include but are not limited to the following:

1. The house, founded on cedar stumps as is common amongst homes of this vintage in this neighborhood, appears to be significantly out of level, making it difficult in some cases and impossible in others to fully operate windows and doors, hindering required egress in the case evacuation is needed. The leveling that would be

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required would be quite expensive and would likely render several of the (original) windows and doors non-operational and would necessitate their removal, lessening the details that are so critical to the true preservation of the home's historic nature. As a result, the existing siding would likely also need to be completely replaced – again, a replacement that would be clearly non-historic to even a casual observer from the street.

2. Foundation beams and joists appear to be badly deflecting in areas, and floor decking appears to be particularly compromised, affecting not only the function of the house but also the safety – for instance, it appears possible in the bathroom to punch through to the crawlspace by merely stomping on the floor. Damage such as this can be caused by factors within (leaking plumbing fixtures in the bathroom, for instance) or from factors without (shifting of the house, rot, decay, etc).
3. The house's exterior walls consist of wood studs whose condition appears to be compromised in some areas by rot and decay.
4. Even the non-compromised studs in the exterior walls appear to be spaced significantly wider than the 16" (on-center) that is required by code – in one observed area, the studs were nearly 30" apart, which is expressly prohibited by code. Reinforcement of the studs with infill studs would necessitate the total replacement of the interior plaster walls but probably also a good portion of the exterior siding that appears to also be the only exterior sheathing of the house, a condition also non-code-compliant. Again, new siding would not be able to be historic.
5. The home currently has no exterior door that meets the code requirement that at least one door from a residence have a minimum 36" wide door. Clear width of egress is a key component of safe and successful evacuation in case of fire – and this neighborhood has seen its fair share of deaths due to fire.
6. The house appears to have no insulation, no weatherstripping, and no other consideration of minimum requirements for weatherproofing. Weatherproofing could be accomplished, but its cost would be inordinate, and in the case of elements such as windows, there would again be no way to provide minimally energy-efficient replacement elements that would even approximate the historic character of existing element without costs widely disproportionate to any benefit realized.
7. It is not clear that the electrical system is grounded. This effectively prevents the use of almost all modern appliances and electrical equipment, and poses a significant safety risk to any occupant.
8. In several areas of the house, plumbing supply piping is not only exposed to view but placed in such a configuration that the piping can be easily damaged (by, for instance, hitting the piping with furniture while moving); as well, in at least one case (by the kitchen), the piping poses an abrasion and protruding-object hazard to occupants due to its location directly sticking out into a hallway that would be reasonably used as a path of egress in case of evacuation;
9. The domestic-hot-water system currently consists of a water heater located outside the envelope of the actual home, in a structurally unsafe structure behind the home that is not even connected to the home – thus, hot-water piping is actually exposed to the outside air between the water heater enclosure and the house itself, piping

which is not insulated in any manner. Additionally, the vent flue for this heater is located at the level of the kitchen window, which due to the complete lack of climate control in the house, is almost guaranteed to be open on a regular basis. This proximity violates code and basic standards of safety and sanitation. There is no room inside the house to locate even a small water heater without profoundly impacting spaces required by other minimum functions (such as requirements for a cooking unit or a sanitary unit such as a bathroom). The cost of a tankless or instantaneous water heater would be, again, too great considering the benefit realized, especially since it is not clear that the gas or electric systems of the house could even support such appliances without upgrading at extreme cost.

10. The current bathroom does not comply with minimum space requirements for plumbing fixtures as defined by the International Residential Code. For instance, the distance from the centerline of the toilet to the nearest edge of the adjacent bathtub is less than 12", where 15" is the minimum allowed by code. These requirements are intended to ensure that occupants can safely maneuver around a bathroom without injury – especially occupants who may be mobility-impaired, young, or elderly. It is possible that expansion of this bathroom to provide minimum clearances would render the adjacent bedroom smaller than is allowable by code (minimum 7' in dimension).
11. It appears that the only heating source for the current house is one gas-fired space heater. Such space heaters are notorious fire hazards and have been the cause of numerous fires and resulting deaths and are completely unsafe for use in any instance. Again, there is no space in the existing house for even a minimally-beneficial central heating / cooling unit, and window units would be both highly inefficient from an energy standpoint – and would detract noticeably from any contribution the house might be seen to make to the historic fabric of its surroundings.
12. As well, there appear to be exposed unused gas connections (for former heater locations) that both intrude upon the function of the space and pose a leakage and ignition hazard to the home's occupants.
13. The wood rafters comprising the home's roof structure are not open to view, but by observing the warping and variation of the roof surface as seen from the exterior, it can be reasonably inferred that the structure is under distress caused by the differential settling of the foundation. It is likely that, in the case of a renovation of the home, that the entire roof structure would need to be replaced, and the resulting increase in member sizes might impact the exterior aesthetics in such a way that, again, the historic nature would be compromised.

Violations of zoning and planning ordinances

The homes in the 1900 block of East 10th Street were constructed well before the City imposed zoning ordinances in the area. Most homes are closer to the street than the 25' required by the Land Development Code for SF3-NP zoning. However, 1910 East 10th Street is a particularly egregious example of setback violation, as the house is less than 13' from its front property line. (The average setback in this vicinity, with 1910 East 10th Street

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not included, is 17' from the street as surveyed earlier this year.) This is not merely an aesthetic or urban-planning issue – the home's proximity to the street, combined with its substandard state and the existence of high-risk elements such as space heaters – means that, in case of conflagration, the house poses a greater risk to other properties and users of the street than would a home complying more with the spirit (if not the letter) of the City's zoning ordinance. The house could be moved further back on its lot, but would reduce the rear yard of the house, and would impact the site's protected tree (see next point). Any effort to retain the existing structure has to be coupled with a considerable addition to make the house even remotely functional, and such an addition needs as much rear area as possible due to the small size of this lot which, at 4114 SF, is well under the minimum legal-lot size of 5750 SF.

Proximity to existing protected tree

The southwest corner of the house currently sits above the critical root zone of a protected 20" tree located roughly on the property line between addresses 1908 and 1910. While the pier-and-beam structure of the existing house is more or less compatible with such a tree, any construction to upgrade the existing structure would necessarily impact this tree, and while of course this owner would and will take all required precautions to protect the tree, there is a higher-than-usual risk of adverse effect on the tree due to the mere presence of equipment such as backhoes, lifts, etc that are required in order to accomplish such tasks as the replacement of roof structure, utilities, and the like. In contrast, the new home we propose completely avoids any impact of this tree – is located nowhere near it – and indeed allows the tree to take its place as an element contributing to the neighborhood in as important a way as any structure.

Violations of requirements for parking

The home's proximity to the street, coupled with the existence of a protected tree at the southwest corner, means that the two off-street parking spaces required by code must be located, by necessity, at the southeast corner of the site, directly beside the front porch and running parallel with the east property line. However, the southeasternmost corner of the house is only 8'-1" from the east property line, which is 5" less than the minimum (and not-recommended) parking-space width of 8'-6". This exposes the house to potential calamitous impacts from moving and parking vehicles, as this corner is currently but a metal pole supporting the porch roof and even in a rehabilitation scenario would be but a single structural column, albeit larger than currently constructed. Additionally, because of the short distance between the front of the house and the street, any parking at this location would have to twist and turn from a compliant driveway approach to the side of the house in such a way that use of the parking spaces will, by my experience, be considered too inconvenient for actual use – thus motivating the home's occupants to park on the street and thus place the burden for storing the vehicles they require to function in Austin on the public.

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Efforts made to avoid demolition

Despite these considerable odds, Mr. Harrison commissioned me in August 2012 to document a renovation and addition project which was duly submitted to the City of Austin for review and permitted at the beginning of this year. The existing home is but 565 square feet in area, smaller than some efficiency apartments, and much too small for anything but a single occupant. However, Mr. Harrison was committed to preserving at least the fact of the existing home, since the numerous defects listed above necessitated a renovation which would have resulted in a home aesthetically and formally unrecognizable to its former occupants or longtime residents of the neighborhood. Indeed, very little of the actual existing home would have been able to be retained in any case.

The project that Mr. Harrison and I designed comprised of the complete gut rehabilitation of the existing home coupled with an extensive addition that, at Mr. Harrison's behest, was kept to one story high in order to not overshadow the existing home. The house was increased in size from approximately 565 square feet to almost 1570 square feet – an area which is considerably less than the 2300 square feet allowed on the lot by zoning, but an area which was limited by impervious-coverage limitations that disallowed any more than 40% of the site's area to be building coverage. (The lot does not qualify for small-lot amnesty as it is over 4000 square feet in area.) Mr. Harrison and I made the best effort we could to provide the conveniences of a modern home within this 1570 square feet, but it was difficult and the effort not entirely successful. The addition+renovation project contained three (small) bedrooms and two bathrooms as well as living space which occupied the entirety of the existing home.

The aforementioned project was submitted to the City of Austin in August 2012 and consequently languished for four months in residential review on account of the City's permit backlog. During this time, residential construction costs increased by double-digit percentages (indeed, lumber alone is 27% higher in cost than it was a year ago). These increases in cost meant that the considerable work required just to rehabilitate the structure, costly enough at the outset of the project, became all the more onerous.

Whether a project is built for resale, for tenancy, or for occupancy by its applicant, it is necessary for the benefits to outweigh the costs involved. A client building a home for their own use must either use their own cash or obtain a construction loan, and in both cases, the provider of the money has to be assured the costs are proportional to the benefits. The fact that the house was never upgraded in 2000 shows that, even 13 years ago, the costs required were considered disproportionately larger than the benefits of even a minimal upgrade. In 2013 this is so much more the case. When we received pricing from contractors, we discovered sadly that the cost required to renovate 565 square feet and then add 1005 square feet was considerably more than the bids we have subsequently received to build a new home over 200 square feet larger. That 200 square feet means three expanded bedrooms, a potential additional bedroom, and larger living areas – the difference between a home only barely suitable for, say, a small family (who would then have to leave the neighborhood and thus contribute to destabilization and gentrification)

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and a family whose house was of a size that could accommodate years of growth and change. East Austin is sorely in need of homes of a size that a modern family can not just live in now – but live in for decades to come.

Mr. Harrison and I have made overtures to persons initially interested in moving the house from its current site, but its deplorable condition and small size (even for houses of its age in this neighborhood) likewise rendered moving the home economically infeasible. The home might not even survive the move. As well, with the ongoing boom in construction and development in the immediate vicinity and beyond, it has proven impossible for us or for others to economically find a plot of land on which this house could be relocated, renovated, and which would enjoy the same relationship and contribution to its surroundings as it does currently – a condition of relocation stated in your report. Indeed, Mr. Harrison would readily give the home to any party willing to pay for its relocation, but again, the renovation expenses for the resulting “free” home have proven too great.

However, Mr. Harrison and I do not propose to simply raze the existing house without consideration of the history and use of its materials. I have made tentative arrangements with a neighborhood resident to carefully deconstruct the house and make use of any and every portion of it possible.

Again, Mr. Harrison and I propose to build a home that both provides for the needs of today's homebuyer and speaks to the history of the lot and neighborhood. At this point, demolition is necessary to accomplish this. If demolition is not allowed, then it is likely the house would have to sit vacant for even longer than it already has, as neither Mr. Harrison nor I can in good conscience allow tenants or other renters to occupy the structure in its current state. As a vacant structure, it is liable to illegal occupation which would be deleterious to the neighborhood but even more so to the safety of any unlucky squatter who chose to live there. Vacant homes can also house unwelcome vermin and become targets for illicit activity. This neighborhood has a proud and vibrant history – but it has also suffered decades of official municipal neglect and discrimination, and it does not need another empty house on an unkempt lot.

We understand and agree that the decision to demolish a home such as this should not be made rashly or lightly. Mr. Harrison and I spent the four months that it took for the City of Austin to review and approve the previous project in careful consideration and reconsideration of whether or not to demolish the home. We came to the unfortunate decision that deconstruction was best when, with permit finally in hand, we realized how much construction costs had increased proportional to the amount of resources available to realize the project. We have then spent over three months redesigning and re-permitting. Costs are increasing daily as the recent increase in Austin residential construction shows no sign of abating, and having seen 10% monthly construction inflation in past years, adding another month via postponement to Mr. Harrison's process simply means taking more money out of his pocket, money that could be put towards a home that will delicately address its historic context while increasing the functionality of this important lot in this important neighborhood. Or, with markets being the way they are, it

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could mean the difference between making the lot functional or leaving it vacant.

Lastly, I do want to convey my sincere appreciation for the work that you and your office (not to mention the Historic Landmark Commission) do to defend the historic fabric of our city against wanton and inconsiderate obliteration. Like so many Austinites, I came here from “somewhere else,” and one of the factors influencing my decision to make this city my home was its distinct and unique architectural heritage as reflected in both its grandest edifices and its humblest homes. As a residential architect actively practicing on the east side of Austin for the past seven years, I have a deep knowledge and appreciation of the particular social and architectural history of the area, and have worked to the best of my ability to, in my small way, keep that history alive while upgrading and modernizing some of its more substandard structures. In the past year, I have designed no less than four renovations of extremely compromised homes, and have always maintained that structures contributing to the history of this wonderful neighborhood should be retained to the greatest extent possible. There are some houses, however, which have suffered too much to keep alive, and after careful (and emotional) consideration, Mr. Harrison and I believe that one of them is 1910 East 10th Street. We close with a plea for you to reverse your recommendation to postpone, as we have already duly considered all of our options over the last eight months, and ask you to support our application for immediate approval.

Please do not hesitate to contact me directly at 512.786.9298 or hodge@ochona.com with any questions or concerns. Thank you for your time and all that you do for Austin.

Respectfully,

William Hodge AIA

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